

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

At Wheeling

CORNETT MANAGEMENT COMPANY, LLC,  
a foreign corporation,

Plaintiff,

v.

Civil Action No. 5:04-CV-22  
Honorable Frederick P. Stamp, Jr.

LEXINGTON INSURANCE COMPANY,  
a foreign corporation, FIREMAN'S  
FUND INSURANCE COMPANY,  
a foreign corporation, BRADY  
RISK MANAGEMENT, INC., a  
foreign corporation, and  
HARTAN BROKERAGE, INC.,  
A foreign corporation,

Defendants.

**PARTIAL DISMISSAL ORDER**

Came this day the Plaintiff, by its counsel, Brent K. Kesner and the law firm of Kesner, Kesner & Bramble, and came the Defendant, Lexington Insurance Company, by its counsel, Charles Bailey and the law firm of Bailey & Wyant, PLLC; whereupon the Court was advised that these parties have resolved all matters and issues in dispute between them by agreement, and whereupon Motion was made that the Court dismiss the Plaintiff's claims against Lexington Insurance Company, with prejudice.

And the Court, hearing no objection to the aforesaid Motion, and believing the same to be proper, is of the opinion to and does hereby **ORDER** that the Plaintiff's claims against Lexington Insurance Company should be and the same are hereby **DISMISSED**, with prejudice, to the Plaintiff and to the Defendant Lexington Insurance Company.

The Clerk of the Court is instructed to forward certified or attested copies of this Order to counsel of record as follows:

U.S. DISTRICT COURT  
FILED AT WHEELING, WV  
SEP 11 2007  
NORTHERN DISTRICT OF WV  
OFFICE OF THE CLERK

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*Counsel for Brady Risk Management, Inc*

Enter this 11<sup>th</sup> day of September, 2007.

  
Honorable Frederick P. Stamp

**Prepared By:**

/s/ Brent K. Kesner  
Brent K. Kesner (WV Bar #2022)  
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**Approved by:**

/s/ Charles R. Bailey  
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